

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RICHARD CLEMONS #232413,)
)
Plaintiff,) Case No. 2:04-cv-259
)
v.) HON. RICHARD ALAN ENSLEN
)
M. SCHETTER, *et al.*,)
)
Defendants.)

)

ORDER OF DISMISSAL

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983.

On December 17, 2004, the Court issued an order denying Plaintiff leave to proceed *in forma pauperis* because he was barred by the “three-strikes” rule of 28 U.S.C. § 1915(g). The Court required Plaintiff to pay the entire filing fee for a civil action of \$150.00 within thirty days, and warned that his case would be dismissed without prejudice should he fail to comply. Plaintiff has not complied with this Order by paying the fee. Accordingly, dismissal of this action without prejudice is appropriate.

Therefore:

IT IS HEREBY ORDERED that Plaintiff Richard Clemons’ Complaint (Dkt. No.

1) is **DISMISSED without prejudice.**

DATED in Kalamazoo, MI:
March 24, 2006

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE